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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,047	11/22/2000	Nilgun E. Tumer	OCIRS 3.3-060 CONT	2314

530 7590 11/19/2003

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

HELMER, GEORGIA L

ART UNIT	PAPER NUMBER
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1638

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/721,047

TUMER

EXAMINER

G Helmer

ART UNIT

PAPER

1638 ~~17~~

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Commissioner for Patents

See the Attached letter, with respect to 09/741047.

Notice of Non-Responsive Amendment

1. The reply filed on 13 August 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's claim 5, as presented in Applicant's "Amendments to Claims", is not identical to claim 5 of the original claims. Yet claim 5 has not been amended. Applicant's claim 5 lacks "a mutant" just before "PAP II". The claims in the Amendment must be identical to the original claims, ~~except~~^{except} where amendments have been made. Correction is required. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Georgia L. Helmer whose telephone number is 703-308-7023. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson can be reached on 703-306-3218. The fax phone number for the organization where this application or proceeding is assigned is 703-308-4242.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Georgia Helmer PhD
Patent Examiner
Transgenic Plants, Art unit 1638
November 14, 2003


ELIZABETH F. McELWAIN
PRIMARY EXAMINER
GROUP 1800